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781551N26A - SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: December 21, 2001

OFFICE CORRESPONDENCE   FILE:

FROM: DAVID R. BETKEY, COMMANDER
COMMANDER OF THE DEPARTMENT

TO: ERIC B. SMITH, CAPTAIN
CENTURY STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS HIT SHOOTING, JANUARY 22, 2001, IAB REVIEW #2028178**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on January 22, 2001.

The Committee met on December 20, 2001 and consisted of myself, Commander Patrick Mallon (Commander of the Department) and Commander William McSweeney (Office of the Undersheriff). The Committee determined that the use of force by Deputies Marcelo Sampedro #[redacted] James North #[redacted] Anthony Lazo #[redacted] Angelica Vargas #[redacted] and Jaimes Angel #[redacted] was within Department policy. **Please advise these personnel of this finding.**

Additionally, the Committee directs the Unit Commander conduct additional debriefings of this incident with attention to tactical details and the necessity for preplanning means of removing uncooperative persons from vehicles.

DRB:KRK:kk

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
01/23/01	CENTURY STATION	☐	☒

Incident Information

URN: 001-01380-2170-057	Date: 01/22/01 Time: 1150 hours
City or Station: LOS ANGELES	Nature of Incident: Suspect stole a vehicle and drove it into a vehicle occupied by a Victim Sheriff's Sergeant. Deputies used stun gun rounds on the suspect with no effect, then used 9mm rounds hitting the suspect numerous times.
Location: 6003 S. COMPTON AVENUE	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, (Parking Lot — circled), Residence, Rural, School, Street, Other: ______

Lighting (*circle only one*): Darkness, (Daylight — circled), Other, Street Lights

Weather (*circle only one*): (Clear — circled), Cloudy, Fog, Rain

Distance: Approximately 10 feet

Incident Type (*circle one or more*): Accidental, (Armed Person — circled), Fleeing Suspect, Foot Pursuit, Gun Take Away, (Moving Vehicle — circled), Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, (Unarmed Person — circled), Unintentional, Vehicle Pursuit, Warrant Service, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, (Observation — circled), One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, (Routine Patrol — circled)

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
32	NONE	☒	☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	SCOTT,	ARTHUR	C.	EM PM (Day — circled)	(Regular — circled) Overtime Off Duty
[redacted]	PACHOT,	TONY	M.	EM PM (Day — circled)	(Regular — circled) Overtime Off Duty
[redacted]	TAWDI,	WALID	W.	EM PM (Day — circled)	(Regular — circled) Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	SCOTT,	ARTHUR	C.	(On Duty — circled), (Present during shooting — circled), (Witness to shooting — circled), Involved in shooting
[redacted]	MC QUAY,	JOHN	M.	(On Duty — circled), Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	REYES,	ALFRED	M.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	SLAUGHTER,	DOUGLAS	A.

PSTD Use Only

SH # 2028178

Officer Involved Shooting

URN: 001-01380-2170-057

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
01/22/01	1305	09/24/01	

Employee #	Last Name	First Name	M.I
[redacted]	GREENE,	JERRY	S.
[redacted]	ZOMBEK,	ROGER	A.
[redacted]	JOHNSON,	GREGORY	A.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	FH	BR	9	Y	Y	GS	CH
E#2	S#1	FH	BR	9	Y	Y	GS	CH
E#2	S#1	ST	IT	12	Y	Y	SD	CH
E#3	S#1	FH	BR	9	Y	Y	GS	CH
E#4	S#1	ST	IT	12	Y	Y	SD	CH
E#4	S#1	FH	BR	9	Y	Y	GS	CH
E#5	S#1	FH	BR	9	Y	Y	GS	CH
S#1	E#1	OV					NN	
S#1	E#2	OV					NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 001-01380-2170-057

Involved Employee

E 1

Employee #: [redacted]	Last Name: SAMPEDRO,	First Name: MARCELO	M.I.: J.
Sex: M / Race: H	Rank: DEPUTY	Unit Assignment: CENTURY STATION	Work Assignment (Unit #, Module, etc.): RESERVE COORDINATOR
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: / Interviewed? ☐
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, (Plain Clothes w/ Vest), Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors: Suspect drove a stolen vehicle directly at him in an attempting to run over the deputy.
Age: [redacted] / Height: 509	Weight: 160		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted] / Certification Unit: [redacted]	Prior Shootings? [redacted]	Number of Prior Shootings: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

E 2

Employee #: [redacted]	Last Name: NORTH,	First Name: JAMES	M.I.: J.
Sex: M / Race: W	Rank: DEPUTY	Unit Assignment: CENTURY STATION	Work Assignment (Unit #, Module, etc.): 213A DAY
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: / Interviewed? ☐
Hrs of sleep prior to shooting: ?	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors: Suspect drove a stolen vehicle directly at him in an attempting to run over the deputy.
Age: [redacted] / Height: 600	Weight: 200		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted] / Certification Unit: [redacted]	Prior Shootings? [redacted]	Number of Prior Shootings: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.:
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

E 3

Employee #: [redacted]	Last Name: LAZO,	First Name: ANTHONY	M.I.: N.
Sex: M / Race: H	Rank: DEPUTY	Unit Assignment: CENTURY STATION	Work Assignment (Unit #, Module, etc.): 213A DAY
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: / Interviewed? ☐
Hrs of sleep prior to shooting: 4 TO 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] / Height: 508	Weight: 185		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted] / Certification Unit: [redacted]	Prior Shootings? [redacted]	Number of Prior Shootings: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

Officer Involved Shooting
Involved Employee Information

URN: 001-01380-2170-057

Involved Employee

E 4

Employee #: [redacted] | Last Name: VARGAS, | First Name: ANGELICA | M.I.: P.

Sex: F | Race: H | Rank: DEPUTY | Unit Assignment: CENTURY STATION | Work Assignment (Unit #, Module, etc.): 217B DAY

ShiftTime (*circle only one*): EM PM (Day) | ShiftType (*circle only one*): (Regular) Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case #: | Interviewed? ☐

Hrs of sleep prior to shooting: 7 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest) | Other Factors:

Age: [redacted] | Height: 503 | Weight: 110

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted]

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted]

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted]

E 5

Employee #: [redacted] | Last Name: JAIMES, | First Name: ANGEL | M.I.: E.

Sex: M | Race: H | Rank: DEPUTY | Unit Assignment: CENTURY STATION | Work Assignment (Unit #, Module, etc.): 217B DAY

ShiftTime (*circle only one*): EM PM (Day) | ShiftType (*circle only one*): (Regular) Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case #: | Interviewed? ☐

Hrs of sleep prior to shooting: 8 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest) | Other Factors:

Age: [redacted] | Height: 510 | Weight: 170

Range Qualification Date: [redacted] | PPC Qualification Date: 09/00 | Laser Training Date: 09/12/95

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? ☒ | Number of Prior Shootings: TWO

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted]

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted]

E___

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case #: | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings:

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

Officer Involved Shooting
Suspect Information

Suspect Information

S 1

Last Name ROMAN,		First Name GUSTAVO	M.I.
AKA Last Name GARCIA,		First Name GILBERTO	M.I.
Sex: M Race: H	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #:	Driver's License #: [redacted]
Age: 26 D.O.B. 02/04/74	Height: 510 Weight: 175	FBI #	CII #
Booking #	Primary Charge: 245(C) P.C.	Secondary Charge:	
Coroner Case? ☒	Coroner Case # 200100607	Intoxication/Drug Usage? ☒	Substance Used: UNKNOWN
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

SUPPLEMENTAL NON-EMPLOYEE WITNESSES

Los Angeles County Sheriff's Department



Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		[redacted]	[redacted]		
[redacted]	[redacted]	G.	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]	C.	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]	A.	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]	E.	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]	A.	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
CURT LIVESAY • Chief Deputy District Attorney
PETER BOZANICH • Assistant District Attorney

DAVID H. GUTHMAN • Director

August 24, 2001

Captain Frank Merriman
Los Angeles County Sheriff's Department
Homicide Bureau
5747 Rickenbacker Road
Los Angeles, California 90040

Dear Captain Merriman:

Re: J.S.I.D. File # 100-8815 / 01-0039
L.A.S.D. File # 001-01380-2170-057

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the January 22, 2001, fatal shooting of Gustavo Roman by Los Angeles County Sheriff's Deputies James North, Angelica Vargas, Marcelo Sampedro, Anthony Lazo, and Angel Jaimes. We have concluded that the deputies acted lawfully in defense of themselves and others.

The following analysis is based upon crime scene photographs and a volume of reports totaling 267 pages prepared by the Los Angeles County Sheriff's Department, Homicide Bureau, that were submitted to this office on June 14, 2001. The District Attorney's Response Team, consisting of Deputy District Attorney Max Huntsman and Senior Investigators [redacted] and [redacted] were given a walk-through of the scene of the shooting and, in conjunction with Sheriff's investigators, interviewed witnesses to the incident.

FACTUAL ANALYSIS

On January 22, 2001, Gustavo Roman entered the parking lot of the Hobbs Williams Cooper Mortuary at 6003 Compton Avenue in an unincorporated area of Los Angeles County. The parking lot, which serves the mortuary and an auto repair facility next to it, contained several cars, some of them unlocked. Mr. Roman behaved in a bizarre and violent manner, entering or attempting to enter several cars and attacking [redacted] of the cars and [redacted] of the mortuary. When Sheriff's deputies arrived, Mr. Roman

Criminal Courts Building
210 West Temple Street
Los Angeles, CA 90012-3210
WEBSITE: http://www.co.la.ca.us/da



continued to behave irrationally and eventually managed to enter and start a white Dodge. Mr. Roman drove the car in the direction of deputies on two different occasions. In both instances, deputies fired their weapons at Mr. Roman. Initially, Deputies James North and Angelica Vargas fired stun bag shotguns that failed to break through the window of the car. Deputies James North, Angelica Vargas, Marcelo Sampedro, Anthony Lazo, and Angel Jaimes then fired nine millimeter Beretta pistols at Mr. Roman. Mr. Roman died from gunshot wounds after the second volley.

Statements of Deputies

Sergeant Arthur Scott, #[redacted] was the first deputy to arrive on the scene. He arrived in a sergeant's Chevrolet Tahoe patrol vehicle. [redacted] told Sgt. Scott that Mr. Roman attempted to rob him. Sgt. Scott ordered Mr. Roman out of a white Dodge car. Mr. Roman did not immediately comply and behaved bizarrely, as if under the influence of PCP. When assisting deputies arrived, Sgt. Scott gave Deputy Lazo his keys and told him to get an AR15 (a .223 caliber rifle) out of the Tahoe. Sgt. Scott holstered his own nine millimeter pistol because other deputies had both nine millimeter pistols and stun bag shotguns. Sgt. Scott told deputies not to fire and entered a white station wagon in order to use it to block Mr. Roman. Mr. Roman accelerated the white Dodge toward the station wagon. Fearing for his life, Sgt. Scott rolled to his right as Mr. Roman rammed the vehicle. The sergeant heard the sound of controlled shots and waited until they stopped before getting out on the other side of the station wagon. When he got out he saw that Mr. Roman was bleeding and ordered deputies to hold their fire. Mr. Roman then accelerated toward deputies and the deputies again opened fire. The vehicle stopped and Mr. Roman was removed from the car. During the incident, Sgt. Scott feared that Mr. Roman would successfully leave the parking lot and become a public safety hazard.

Deputy Anthony Nava Lazo, #[redacted] responded to a "man with a gun –shots fired" call and heard Sgt. Scott broadcast that he had the suspect, who was behaving in a bizarre manner, contained in a parking lot. Deputy Lazo told his partner to get a stun bag gun due to the fact that the suspect might be mentally ill. Deputy Lazo took cover and shouted instructions to Mr. Roman in Spanish, which Mr. Roman ignored. Sgt. Scott threw keys to Deputy Lazo and asked him to obtain the ARWEN (a firearm that shoots rubber bullets).[1] Deputy Lazo was trying to get the ARWEN from the truck of Sgt. Scott's patrol vehicle, when he heard a crash and then gun shots. He saw that the white Dodge had crashed into the white station wagon where Scott had been standing moments

[1] Sgt. Scott recalls requesting an AR15. According to the Sheriff's Department's Crime Lab, the Sheriff's Department does not carry less-lethal ammunition for the AR15. Deputy Lazo believed Sgt. Scott wanted an ARWEN, a 37mm caliber firearm that fires rubber batons or gas canisters. It is unclear from reports whether Sgt. Scott, who was aware that deputies already had stun bag shotguns (shotguns which fire stun rounds), wanted an additional lethal or less-lethal option available. Either choice might have proven tactically useful. In any event, Deputy Lazo never retrieved either weapon due to the sudden violent actions of Mr. Roman.



earlier. Mr. Roman suddenly reversed and then started forward again. Deputy Lazo believed Sgt. Scott was somewhere injured on the ground and in danger of being struck again. Deputy Lazo also believed that if Mr. Roman escaped the parking lot, there was a high likelihood he would harm innocent people. With all of this in mind, Deputy Lazo fired between two and four rounds at Mr. Roman.

Deputy James North, #[redacted] responded to the "man with a gun – shots fired" call with his partner, Deputy Lazo. Prior to arriving, Deputy North heared a broadcast that the suspect was possibly mentally disturbed and armed with a hammer. Upon arrival, Deputy North armed himself with a stun bag gun, reasoning that force might be necessary but that "less than lethal" force might suffice. Deputy North ran up to a position where he could see Mr. Roman reaching in to the white Dodge. He prepared to fire a stun bag round, but Sgt. Scott said, "Don't shoot." Mr. Roman entered the white Dodge and began to back up. Deputy North fired three stun bag rounds at the driver's side window in hopes of shattering it and gaining Mr. Roman's attention. The stun bags bounced off the window. The white Dodge then moved forward, making contact with the station wagon where Sgt. Scott had been standing just moments before. Believing Sgt. Scott had just been run over, Deputy North dropped the stun bag shotgun and fired seven to eight shots from his Beretta at Mr. Roman. At that point Sgt. Scott got out of the passenger side of the station wagon. Upon looking back at Mr. Roman, Deputy North saw him accelerate the white Dodge in the direction of the Tahoe patrol vehicle. Deputy Sampedro was standing between the white Dodge and the Tahoe patrol vehicle when the Dodge began moving in his direction. Fearing for the safety of Deputy Sampedro and civilians in the area, Deputy North fired four or five more shots. Both times he fired, Deputy North heard other deputies fire as well.

Deputy Angel Jaimes, #[redacted] and his partner Deputy Angelica Vargas also responded to a "man with a gun – shots fired" call. While en route they heard Sgt. Scott request assistance and state that the suspect was possibly mentally ill and armed with a hammer. When he exited his car, Deputy Jaimes observed Sgt. Scott giving commands to Mr. Roman. Mr. Roman stood by the white Dodge and ignored the deputies with a "spaced" look in his eyes. As Mr. Roman reentered the white Dodge and began backing up, Deputy Jaimes yelled to Deputy North and Deputy Vargas to fire stun bag shotguns. Mr. Roman then accelerated toward the place where Sgt. Scott had been standing. Believing that Sgt. Scott had been run over, Deputy Jaimes fired four to six rounds from his Beretta. Mr. Roman again backed up and proceeded forward in the direction of Deputy Sampedro. Fearing for Deputy Sampedro, Deputy Jaimes fired his pistol four to six more times. Deputy Jaimes also noted that there were civilians on the sidewalk near the location and that he feared for their safety if Mr. Roman were allowed to proceed forward in the white Dodge.



Deputy Angelica Vargas, #[redacted] arrived at the location with her partner Deputy Jaimes and retrieved the stun bag shotgun from their patrol car. Deputy Vargas described the scene consistently with the above reports, adding that deputies repeatedly yelled instructions to Mr. Roman in Spanish and English which he failed to obey. When Mr. Roman backed the white Dodge toward her, Deputy Vargas fired four stun bag rounds and moved out of the path of the oncoming car. Deputy Vargas then returned the empty shotgun to the Tahoe patrol vehicle. Deputy Vargas then saw Mr. Roman driving the white Dodge in her direction. Fearing for her own safety, the safety of other deputies, and for nearby civilians, Deputy Vargas fired several rounds from her Beretta. Mr. Roman slumped over in the front seat of the white Dodge and did not move again.

Deputy Marcelo Sampedro, #[redacted] arrived on the scene as Mr. Roman was standing beside the white Dodge. Deputy Sampedro covered Deputy North as North subsequently fired his stun bag shotgun at the moving car. Deputy Sampedro ran in order to avoid being struck and ended up near the Tahoe. When Mr. Roman moved the white Dodge forward, Deputy Sampedro, believing Sgt. Scott to have been hit, fired his Beretta five to six times. Mr. Roman then backed again slightly and came forward in the direction of Deputy Sampedro and another deputy. Again Deputy Sampedro ran to avoid being struck, firing his pistol approximately three times in defense of himself, other deputies, and nearby civilians.

Physical Evidence

Criminalists photographed collision damage to the white Dodge, the Chevy Tahoe patrol vehicle, and the station wagon. Several of the windows of the white Dodge were shattered. Criminalists identified thirteen bullet holes in the front driver's window glass of the vehicle, four holes in the left front driver's door, one bullet hole in the rearview mirror on the driver's door, and three bullet holes in the left front passenger seat. Criminalists recovered thirty-six expended nine millimeter shell casings and six expended stun bag casings from the parking lot. One .38 caliber six-shot revolver, containing four live rounds and two expended rounds, was located inside the mortuary. Criminalists recovered a hammer, a pair of pliers, and pieces of a shovel blade and handle. Shotguns and pistols used by the deputies were inspected and test fired.

The Department of the Coroner ascribed the cause of death to multiple gunshot wounds. An autopsy showed that Mr. Roman suffered seventeen gunshot wounds. Three of these, two to the head and one to the body, were found by the coroner to be immediately life-threatening and presumably the cause of death. Toxicology tests found no drugs in Mr. Roman's system.



Statements of Civilian Witnesses

[redacted] of Gustavo Roman, stated that on January 19, 2001, Mr. Roman arrived at her home in Los Angeles and said he needed a place to stay. Mr. Roman said that he could not go back to Fontana because bad people wanted to hurt him. Over the weekend of January 20-21, Mr. Roman behaved strangely. Mr. Roman mumbled to himself while lying as if on a crucifix. Mr. Roman said that a man he believed to be God told him not to trust anyone and that people were going to do him harm. He said he needed to be cleansed. On the morning of January 22nd, Mr. Roman behaved angrily. Ms. [redacted] became afraid and left the house with her [redacted] When a relative went to the home, Mr. Roman was gone.

[redacted] was approached by Mr. Roman at approximately 11:20 a.m. Mr. Roman said he needed to be "cleansed," took off his clothes while waiting, and acted in an irrational manner. Mr. Roman said he needed to discuss troubles with his [redacted] and to confess his sins. [redacted] convinced Mr. Roman to dress. [redacted] then saw Mr. Roman cross the street to the mortuary, where he attempted to enter numerous cars. At one point, Mr. Roman took keys from his own pocket and attempted to start an Oldsmobile. [redacted] saw Mr. Roman charge a mortuary employee with a hammer twice, both times after that employee fired warning shots from a pistol. He also saw Mr. Roman shatter the window of a car with his hands. After deputies arrived, Pastor [redacted] witnessed them surround the car that Mr. Roman eventually entered and repeatedly order him out. The pastor said that the officers fired two sets of shots, both in response to Mr. Roman accelerating his car at deputies. [redacted] said the first volley began when Mr. Roman was accelerating backwards toward deputies. [redacted] believed that the deputies were endangered by the moving car and had no other alternative than shooting.

[redacted] also saw Mr. Roman attempt to break into numerous vehicles. Ms. [redacted] said she saw Mr. Roman back-up the white Dodge and heard gunshots. Deputies told Mr. Roman to get out of the car, but he said, "no." Mr. Roman suddenly accelerated forward and struck a white station wagon. Ms. [redacted] recalled that Mr. Roman moved forward on two occasions. Ms. [redacted] said Mr. Roman would have hit the deputies with the white car if they had not shot him and that she would not have done anything differently if she had been the deputies.

[redacted] saw Mr. Roman's conduct prior to the deputies arriving. She saw him assault [redacted] with a hammer, heard deputies order him out of the car, and stated that he completely ignored the deputies and appeared to be mentally ill or under the influence of PCP. The only thing she heard Mr. Roman say throughout the incident was, "no, no." Ms. [redacted] saw Mr. Roman exit the car, place his hands on the car, and then get back in it. She saw the reverse lights of the



car come on and believed he was going to back into the office hallway entrance where she was standing. She retreated, heard a volley of shots, and then looked out a window. She saw Mr. Roman sitting in the car, which was facing deputies, and heard the deputies order Mr. Roman out of the car. The car began moving forward and she heard more shots. The first volley of shots sounded different to Ms. [redacted] than the second.

[redacted] confronted Mr. Roman while he was inside the white Dodge. Mr. Roman armed himself with a pair of pliers and a hammer and repeatedly attempted to strike Mr. [redacted] Mr. Roman repeatedly struck himself while trying to hit Mr. [redacted] and did not show any reaction to the blows, leading Mr. [redacted] to believe the man may have been under the influence of drugs. Mr. [redacted] suffered minor injuries but was able to get both items away from Mr. Roman. The first deputy to arrive ordered Mr. [redacted] to drop the hammer, which he did. The deputy (Sgt. Scott) ordered the civilians to go inside and then spoke to Mr. Roman. Mr. Roman eventually got out of the car and placed his hands on the roof, but then suddenly grabbed the keys from the door and reentered the car. Mr. Roman began backing the car. Mr. [redacted] continued to hear the deputies telling Mr. Roman to exit the vehicle and then heard shots fired. After approximately two minutes, he heard the car's engine accelerating and then heard a second set of shots.

[redacted] saw Mr. Roman break into his car. Based on his mannerisms, Mr. [redacted] believed Mr. Roman may have been under the influence of PCP. Mr. Roman approached Mr. [redacted] with a hammer. Mr. [redacted] ran and Mr. Roman threw the hammer at him. Mr. [redacted] observed Mr. Roman attempt to break into more vehicles, including the white Dodge that he eventually entered. Mr. [redacted] armed himself with a shovel and tried, along with Mr. [redacted] to get Mr. Roman out of the car. At one point, Mr. [redacted] struck Mr. Roman with the shovel, to no effect. Mr. [redacted] obtained the keys to the Dodge from [redacted] and placed them in the driver's side door to unlock the door that Mr. Roman had locked from the inside. Mr. [redacted] saw Sgt. Scott arrive and saw Mr. Roman exit the car and then reenter it. Mr. [redacted] heard Sgt. Scott ask arriving deputies to get a bean bag shotgun. Mr. [redacted] saw Mr. Roman back the car up and heard what he thought to be shotgun blasts, whereupon he took cover. When Mr. [redacted] looked again, he saw the white Dodge move forward and heard numerous shots of a different sort. Mr. [redacted] stated if the deputies had not fired, Mr. Roman would have hurt them. Mr. [redacted] had visible abrasions on his arms.

[redacted] saw Mr. Roman breaking into Mr. [redacted] Oldsmobile. Mr. Roman appeared disoriented. Mr. [redacted] armed himself with a pistol kept in the mortuary. He confronted Mr. Roman and fired two warning shots, one into the air and one into the ground. This did not scare Mr. Roman, who responded by coming at Mr. [redacted] and throwing a hammer at him. Mr. [redacted] retreated and returned the pistol to where he found it. Mr. [redacted] saw Mr. Roman break into the white Dodge, but remained inside while Mr. [redacted] and Mr. [redacted] unsuccessfully confronted Mr. Roman. Mr. [redacted] heard deputies order Mr. Roman out of the car. Mr. [redacted] then saw the car



back-up and suddenly lurch toward deputies who were in danger of being hit. He heard the sound of gunfire, but did not see who fired or what effect they had because he ducked for cover.

Larry Dietz, a coroner's investigator who had unrelated business at the mortuary, drove up as Mr. [redacted] and Mr. [redacted] were attempting to get Mr. Roman out of the car. Mr. Dietz observed most of the incident while standing behind his vehicle in the parking lot. After Mr. Roman exited and reentered his car, deputies repeatedly ordered him out. Mr. Roman backed up, apparently striking another car, and then moved the car forward toward a deputy, at which point deputies fired their first volley of shots. Mr. Roman stopped the car, deputies yelled for him to exit, and the car again started forward. Deputies fired again and the white Dodge came to a stop after striking a patrol car.

[redacted] told investigators that he heard the first volley of shots, ran to the corner, and saw several deputies with their guns aimed at a white car. The car was facing deputies. He heard a single shot that sounded like a smaller caliber than the other shots. The white car then rammed a patrol car and the deputies fired several more shots at the white car. After waiting some time, the deputies removed Mr. Roman from the white car.

[redacted] came out of a home on the northeast corner of 60th Street and Compton Avenue when he heard police arrive. Mr. [redacted] heard the deputies repeatedly order Mr. Roman out of the car. Mr. [redacted] saw Mr. Roman accelerate his car backward toward deputies and then forward toward deputies. He saw some of the deputies jump out of the way to avoid being struck and said that if they had not moved, they would have been run over. Both times deputies fired in response to the car's movement.

LEGAL ANALYSIS

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALJIC 5.30. 5.32.

The killing of another person in self-defense is justifiable and not unlawful when the person who does the killing actually and reasonably believes there is imminent danger that the other person will cause him or her great bodily injury or death and it is necessary under the circumstance to use force that might cause the death of the other person to avoid death or great bodily injury.
CALJIC 5.12

CONCLUSION

The Sheriff's deputies who fired upon Mr. Roman acted in justified defense of themselves and others. Mr. Roman repeatedly assaulted civilians and behaved in an irrational manner. He refused orders to step from the car he was in. Mr. Roman then began driving the car in an enclosed area and in the direction of deputies. When Mr. Roman put the white Dodge in reverse, deputies fired less-lethal rounds in an unsuccessful attempt to distract him. Mr. Roman then accelerated toward a station wagon that Sgt. Scott had just entered, committing an assault with a deadly weapon. Believing that Mr. Roman had run Sgt. Scott over, the deputies fired several rounds at Mr. Roman. A second volley of shots was fired when Mr. Roman again accelerated in the direction of deputies. In both instances, deputies fired to protect fellow deputies and themselves.

For the reasons set forth above, we conclude that each of the named deputies acted lawfully in defense of themselves and others. We are therefore closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

MAX HUNTSMAN
Deputy District Attorney
213/974-3906

c: Deputy Angel Jaimes, #[redacted]
Deputy Anthony Nava Lazo, #[redacted]
Deputy James North, #[redacted]
Deputy Marcelo Sampedro, #[redacted]
Deputy Angelica Vargas, #[redacted]